

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

LEWIS K. JAMES,

Defendant.

CASE NO. CR19-214RSL

ORDER

THIS COURT having considered the Stipulation of the United States and defendant Lewis K. James for a continuance of the trial date and the pre-trial motions due date, and based on the facts set forth therein, General Orders 01-20 and 08-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, the defendant's waiver (Dkt. #32), and the availability of counsel for the government and the defendant, the Court hereby FINDS that trial in this case cannot proceed on the currently scheduled date of August 10, 2020. As a result, the failure to grant a continuance of the trial date in this case would likely result in a miscarriage of justice. For the reasons detailed in the parties' Stipulation, the ends of justice served by granting a continuance outweigh the best

1 interests of the public and the defendant in a speedy trial. 18 U.S.C. §§ 3161(h)(7)(A), (B)(i),
2 (iv).

3 IT IS THEREFORE ORDERED that the parties' request to continue the trial date and
4 other dates is GRANTED.


5 The trial date of August 10, 2020, is hereby VACATED.

6 A new trial date is SCHEDULED for February 1, 2021 with Pre-Trial Motions due on
7 December 21, 2020.

8 IT IS FURTHER ORDERED that the time between the date of the filing of the
9 parties' Stipulation and the new trial date, is excluded in computing the time within which
10 trial must commence because the ends of justice served by granting this continuance
11 outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C.
12 § 3161(h)(7)(A). Failure to grant this continuance would likely make trial impossible and
13 result in a miscarriage of justice, and would deny counsel for the defendant and government
14 counsel the reasonable time necessary for effective preparation, taking into account the
15 exercise of due diligence. *Id.* § 3161(h)(7)(B)(i), (iv).

16 IT IS FURTHER ORDERED that the period of time from the date of this order up to
17 and including the date now set for this trial, shall be excludable time pursuant to 18 U.S.C.
18 § 3161.
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20 Dated this 24th day of July, 2020.

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22 Robert S. Lasnik
23 United States District Judge
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